

# House of Representatives

## Chamber Action

**Measures Introduced:** 8 public bills, H.R. 5071–5078; and; 9 resolutions, H.J. Res. 103; H. Con. Res. 491–493, and H. Res. 771–775 were introduced. **Page H7138**

**Additional Cosponsors:** **Page H7138**

**Reports Filed:** Reports were filed today as follows:

H.R. 2971, to amend the Social Security Act to enhance Social Security account number privacy protections, to prevent fraudulent misuse of the Social Security account number, and to otherwise enhance protection against identity theft, amended referred sequentially to the House Committee on the Judiciary for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (H. Rept. 108–685, Pt. 1); and

H. Res. 770, providing for consideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–686). **Page H7137**

**Recess:** The House recessed at 9:21 a.m. and reconvened at 10 a.m. **Page H7077**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Good Samaritan Volunteer Firefighter Assistance Act of 2003:** H.R. 1787, amended, to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies, by a 2/3 yeas-and-nay vote of 397 yeas to 3 nays, Roll No. 446; and **Pages H7090–92, H7097**

**Volunteer Pilot Organization Protection Act:** H.R. 1084, amended, to provide liability protection to nonprofit volunteer pilot organizations flying for public benefit and to the pilots and staff of such organizations, by a 2/3 yeas-and-nay vote of 385 yeas to 12 nays, Roll No. 447. **Pages H7092–95, H7098**

**Suspension Failed—Nonprofit Athletic Organization Protection Act of 2003:** The House failed to agree to suspend the rules and pass H.R. 3369, to provide immunity for nonprofit athletic organizations in lawsuits arising from claims of ordinary negligence relating to the passage or adoption of rules for athletic competitions and practices, by a 2/3 yeas-and-nay vote of 217 yeas to 176 nays, Roll No. 445. **Pages H7084–90, H7096–97**

**Lawsuit Abuse Reduction Act of 2004:** The House passed H.R. 4571, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a yeas-and-nay vote of 229 yeas to 174 nays, Roll No. 450. **Pages H7080–84, H7098–H7120**

Rejected the DeLauro motion to recommit the bill to the Committee on the Judiciary with instruction to report it back to the House forthwith with an amendment, by a recorded vote of 196 yeas to 211 noes, Roll No. 449. **Pages H7118–20**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill was adopted. **Page H7099**

Rejected the Turner of Texas amendment in the nature of a substitute printed in H. Rept. 108–684, by a yeas-and-nay vote of 177 yeas to 226 nays, Roll No. 448. **Pages H7111–18**

H. Res. 766, the rule providing for consideration of the bill was agreed to by a yeas-and-nay vote of 228 yeas to 165 nays, Roll No. 444. **Page H7096**

**Transportation, Treasury, and Independent Agencies Appropriations Act for FY05:** The House began consideration of H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005. Further consideration will continue tomorrow, September 15. **Pages H7121–83**

Agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments. **Pages H7183–84**

Agreed to:

Istook amendment that specifies an amount of funds for operations of the Federal Aviation Administration is to be derived from the Airport and Airway Trust Fund; **Pages H7134–36**

Istook amendment that inserts a section regarding funds for the General Services Administration's Federal Buildings Fund; **Page H7149**

Pombo amendment that prohibits the use of funds for the development or dissemination by the Federal Highway Administration of any version of a programmatic agreement which regards the Dwight D. Eisenhower National System of Interstate and Defense Highways as eligible for inclusion on the National Register of Historic Places; **Page H7177**

Oxley amendment (No. 3 printed in the Congressional Record of September 13) that strikes section 216 of the bill regarding the forms of identification accepted by financial institutions (agreed to limit the time for debate on the amendment) (by a recorded vote of 222 yeas to 177 noes, Roll No. 452); and **Pages H7155–65, H7181–82**

Kelly amendment that increases funds for the Financial Crimes Enforcement Network for Salaries and Expenses (agreed to limit time for debate on the amendment) (by a recorded vote of 360 yeas to 37 noes, Roll No. 454). **Pages H7179–81, H7183**

Rejected:

Jefferson amendment that sought to strike section 103 of the bill regarding the Louis Armstrong New Orleans International Airport; and **Pages H7135–36**

DeLauro amendment that sought to prohibit the use of funds to enter into any contract with an incorporated entity where such entity's sealed bid or competitive proposal shows that such entity is incorporated in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama (agreed to limit time for debate on the amendment) (by a recorded vote of 189 ayes to 211 noes, Roll No. 453). **Pages H7177–79, H7182–83**

Point of Order sustained against:

page 5 lines 22–26, regarding Payments to Air Carriers; **Page H7133**

page 6 lines 13–14, regarding the Airport and Airway Trust Fund; **Page H7134**

page 11 line 1 through page 12 line 15, regarding Grants-In-Aid for Airports; **Page H7133**

page 14 line 20 through page 15 line 3, regarding administrative expenses for the Federal Highway Administration; **Page H7136**

page 15 lines 4–22, regarding the Highway Trust Fund; **Page H7139**

page 16 line 4, the phrase “notwithstanding any other provision of law,”; **Page H7139**

page 16 lines 13–20, regarding the rescission of funds for the Highway Trust Fund; **Page H7139**

section 123, regarding item number 89 in the Transportation Equity Act for the 21st Century; **Page H71411**

section 125, regarding grants for surface transportation projects; **Page H7141**

section 127, regarding environmental streamlining activities; **Page H7141**

page 24 line 15 through page 25 line 20, regarding administrative expenses for the Federal Motor Carrier Safety Administration; **Pages H71411–42**

page 25 line 21 through page 26 line 19, regarding the National Motor Carrier Safety Program; **Page H7142**

section 143, regarding implementation of certain sections of the Code of Federal Regulations; **Page H7142**

page 27 line 19 through page 28 line 10, regarding Operations and Research for the National Highway Traffic Safety Administration; **Page H7142**

page 28 lines 11–22, regarding Operations and Research for the Highway Trust Fund; **Page H7142**

page 29 lines 1–14, regarding the National Driver Register; **Page H7143**

page 29 line 15 through page 30 line 20, regarding Highway Traffic Safety Grants; **Pages H7143–44**

section 151, regarding the National Highway Traffic Safety Administration; **Page H7144**

page 32 lines 2–6, regarding Safety and Operations of the Federal Railroad Administration; **Page H7144**

page 32 lines 7–10, regarding Railroad Research and Development; **Page H71444**

page 32 line 11 through page 33 line 5, regarding the Railroad Rehabilitation and Improvement Program; **Page H7144**

page 33 lines 6–10, regarding Next Generation High-Speed Rail; **Page H7144**

page 33 line 20 through page 37 line 20, regarding Grants to National Railroad Passenger Corporation; **Pages H7145–47**

section 161, regarding the Federal Railroad Administration; **Pages H7147–48**

section 162, regarding Amtrak's Annual Report and Budget Request; **Page H7148**

page 40 line 13 through page 42 line 15, regarding administrative expenses of the Federal Transit Administration; **Page H7148**

page 42 lines 16–21, regarding Formula Grants; **Page H7148**

page 42 lines 22–26, regarding University Transportation Research; **Page H7148**

page 43 lines 1–16, regarding Transit Planning and Research; **Page H7149**

page 43 line 17 through page 44 line 14, regarding Trust Fund Share of Expenses; **Page H7149**

page 44 line 15 through page 47 line 19, regarding Capital Investment Grants; **Page H7149**

page 47 line 20 through page 48 line 3, regarding Job Access and Reverse Commute Grants; **Page H7149**

section 174, regarding the San Francisco Muni Third Street Light Rail Transit project; **Page H7150**

section 177, regarding the Oklahoma Transit Association; **Page H7150**

page 56 lines 6–20, regarding the Surface Transportation Board; **Page H7151**

section 505, regarding the city of Norman, Oklahoma; **Page H7175**

section 636, regarding products or services offered by Federal Prison Industries, Inc.; **Page H7174**

page 85 lines 10–19, regarding a proviso relating to High Intensity Drug Trafficking Areas Programs; **Page H7176**

section 642, regarding section 3716 of title 31, United States Code; **Page H7176**

section 643, regarding the Social Security Act; **Page H7176**

section 644, regarding section 6402 of the Internal Revenue Code of 1986; **Page H7176**

section 407, regarding the Middle River Depot at Middle River, Maryland; **Page H7176**

section 408, regarding section 572 of title 40, United States Code; **Page H7176**

section 409, regarding the General Services Administration's Federal Buildings Fund; **Page H7176**

section 410, regarding Land Conveyance in Nahant, Massachusetts; **Page H7176**

section 509, regarding the Buy America Act; **Pages H7176–77**

section 510, regarding the purchase of American-made equipment and products; **Page H7177**

section 511, regarding products not made in America that are labeled as American-made; **Page H7177**

section 628, regarding the Office of Personnel Management; **Page H71177**

section 637, regarding government charge cards; **Page H7177**

section 640, regarding reports due to Congress; and **Page H7177**

section 646, regarding the Limitation on Conversion to Contractor Performance. **Page H7177**

H. Res. 770, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 235 yeas to 170 nays, Roll No. 451.

**Pages H7125–26**

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H7138.

**Quorum Calls—Votes:** Seven yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H7096, H7096–97, H7097–98, H7098, H7118, H7119, H71120, H7125, H7181–82, H7182–83 and H7183. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 11:44 p.m.

## *Committee Meetings*

### **ISSUANCE OF SUBPOENAS—E-RATE PROGRAM INVESTIGATION**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations approved a motion authorizing the issuance of a subpoena ad testificandum to each of the following individuals: Judy Green; Emma Epps; Douglas Benit; Quentin R. Lawson; and Carl Muscari, in connection with its investigation of the E-Rate Program.

### **RATINGS GAME: IMPROVING TRANSPARENCY AND COMPETITION AMONG CREDIT UNION AGENCIES**

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “The Ratings Game: Improving Transparency and Competition Among the Credit Rating Agencies.” Testimony was heard from public witnesses.

### **HOMELAND SECURITY: MONITORING NUCLEAR POWER PLANT SECURITY**

*Committee on Government Reform:* Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “Homeland Security: Monitoring Nuclear Power Plant Security.” Testimony was heard from Luis A. Reyes, Executive Director, Operations, NRC; Jim Wells,

Director, Natural Resources and Environment, GAO; and public witnesses.

### **OVERSIGHT—LESSONS LEARNED FROM 2004 OVERSEAS CENSUS TEST**

*Committee on Government Reform:* Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled “Lessons Learned from the 2004 Overseas Census Test.” Testimony was heard from Charles Louis Kincannon, Director, Bureau of the Census, Department of Commerce; Patricia Dalton, Director, Strategic Issues, GAO; and public witnesses.

### **AFRICA—MALARIA AND TUBERCULOSIS**

*Committee on International Relations:* Subcommittee on Africa held a hearing on Malaria and Tuberculosis in Africa. Testimony was heard from E. Anne Peterson, Assistant Administrator, Bureau for Global Health, AID, Department of State; and public witnesses.

### **U.S.-EUROPEAN COOPERATION ON COUNTERTERRORISM**

*Committee on International Relations:* Subcommittee on Europe and the Subcommittee on International Terrorism, Nonproliferation and Human Rights held a joint hearing on U.S.-European Cooperation on Counterterrorism: Achievements and Challenges. Testimony was heard from William T. Pope, Principal Deputy Coordinator, Counterterrorism, Department of State; S. Stewart Verdery, Jr., Assistant Secretary, Policy and Planning, Department of Homeland Security; Bruce Swartz, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and Gijs De Vries, Counter-terrorism Coordinator, European Union.

### **OVERSIGHT—DUE PROCESS AND THE NCAA**

*Committee on the Judiciary:* Subcommittee on the Constitution held an oversight hearing on Due Process and the NCAA. Testimony was heard from public witnesses.

### **MISCELLANEOUS MEASURES; PRIVATE RELIEF MEASURES**

*Committee on the Judiciary:* Subcommittee on Immigration, Border Security, and Claims approved for full Committee action the following bills: H.R. 775, Security and Fairness Enhancement for America Act of 2003; and H.R. 4306, amended, To amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment.

The Subcommittee also approved private relief measures.

### **MISCELLANEOUS MEASURES**

*Committee on Resources:* Subcommittee on National Parks, Recreation and Public Lands held a hearing on the following bills: H.R. 305, Kate Mullany National Historic Site; H.R. 2237, 225th Anniversary